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Northern Division
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UNITED STATES DISTRICT JUDGE

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August 4, 2004

Honorable Benson E. Legg
Chief United States District Judge
340 U.S. Courthouse
101 West Lombard Street
Baltimore, Maryland 21201

Re: United States v. 5 Jenkins Road, etc.,
Civil No. L-02-3697

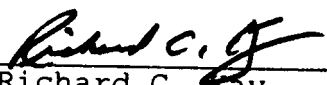
Dear Chief Judge Legg:

After reviewing the Motion for Reconsideration in the above-referenced case, I contacted Mr. Brown, counsel for the claimant. After speaking with Mr. Brown, it is clear that the claimant is at this point conceding the forfeitability of the property, but wishes only to brief the Eighth Amendment Excessive Fines issue. The government will not object, if the Court is inclined to reopen the case, so long as it is only for the limited purpose of considering the Eighth Amendment Excessive Fines issue.

It is apparent from the motion that Mr. Brown could submit his opening memorandum on the issue within two or three weeks; the government could file a response within two weeks after receiving Mr. Brown's paper.

Very truly yours,

Thomas M. DiBiagio
United States Attorney


Richard C. Kay
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cc: C. Thomas Brown, Esq